



United States District Court  
for the  
Southern District of New York

In re Sears Holdings Corporation, *et al.*,  
Debtors<sup>1</sup>

Sears Holdings Corporation, *et al.*,

Vs.

ESL Investments, Inc.; Wilmington Trust,  
National Association; and Cyrus Capital  
Partners, L.P.,

Case Number

19-cv-8002

The Clerk is instructed to close this case.

SO ORDERED:

Vincent L. Briccetti, U.S.D.J.

April 24, 2023

**ORDER &**

**STIPULATION OF VOLUNTARY DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between Appellants Sears Holdings Corporation and its debtor affiliates ("Sears"), and Appellee Cyrus Capital Partners, L.P.

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); SHC Licensed Business LLC (3718); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); SR – Rover de Puerto Rico, LLC (f/k/a Sears, Roebuck de Puerto Rico, Inc.) (3626); SYW Relay LLC (1870); Wally Labs LLC (None); SHC Promotions LLC (9626); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Rover Brands Business Unit, LLC (f/k/a Sears Brands Business Unit Corporation) (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); Sears Brands Management Corporation (5365); and SRe Holding Corporation (4816). The location of the Debtors' corporate headquarters is 3333 Beverly Road, Hoffman Estates, Illinois 60179.

(“Cyrus,” and together with Sears, the “Parties”), through their respective counsel that, pursuant to Rule 8023 of the Bankruptcy Rules of Procedure, Sears voluntarily dismisses, *with prejudice*, this Appeal as against Cyrus, with each Party to bear its own costs and expenses. Sears previously dismissed its Appeal as to the other appellees, ESL Investments, Inc. and Wilmington Trust, National Association. *See* ECF No. 30. Accordingly, this Appeal shall be fully dismissed.

Dated: April 21, 2023  
New York, New York

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